

Juan Morgan, pro se  
Casa 77  
Fort Clayton  
Panama City, Panama  
011-507-6673-4827

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

JUAN MORGAN  
Casa 77  
Fort Clayton  
Panama City, Panama

Plaintiff,

v.

05 Civ. 989  
Hon. Royce C. Lamberth  
Declaration  
In Opposition to Motion  
To Dismiss

MIKE JOHANNS, SECRETARY,  
UNITED STATES DEPARTMENT OF  
AGRICULTURE  
1400 Independence Avenue, S.W.  
Washington, DC 20250-1400

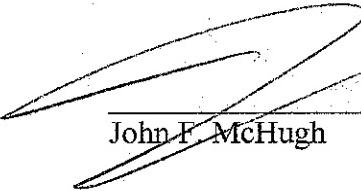
Defendant.

John F. McHugh declares under penalty of perjury pursuant to 28 U.S.C. §1746.

1. I am an attorney duly admitted to practice in the Courts of the State of New York as well as the Southern and Eastern Districts of New York and the Second Circuit.
2. This action was filed by Mr. Morgan pro se. However, this office will attempt to find an attorney in the District which will undertake Mr. Morgan's representation in this matter and seek admission pro hac vice if that is deemed desirable by such attorney.
3. When Mr. Morgan alerted us to the motion to dismiss, we reviewed the papers and found that the process server used had indeed not served the papers properly. My office manager then served the papers from here properly on September 22, 2005.

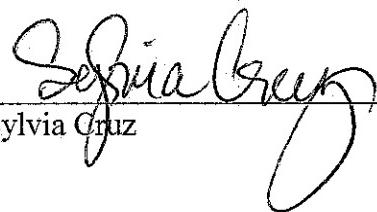
Wherefore, the motion should be deemed moot.

Dated, New York, N.Y.  
October 5, 2005

  
John F. McHugh

CEDRTIFICATION OF SERVICE

Sylvia Cruz certified pursuant to 28 U.S.C. §1746 that on this 5<sup>th</sup> day of October, 2005 she served a copy of these answering papers upon John Truons, Trial Attorney, United States Department of Justice, 950 Pennsylvania Avenue N.W. Washington, D.C. 20530 by United States Mail.

  
Sylvia Cruz